

107TH CONGRESS  
1ST SESSION

# S. 1477

To provide for an election of an annuity under section 377 of title 28,  
United States Code, for any qualified magistrate judge.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2001

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide for an election of an annuity under section 377  
of title 28, United States Code, for any qualified mag-  
istrate judge.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELECTION OF ANNUITY FOR A QUALIFIED MAG-**  
4 **ISTRATE JUDGE.**

5 (a) DEFINITION.—In this section the term “qualified  
6 magistrate judge” means any person who—

7 (1) retired as a magistrate judge before Novem-  
8 ber 15, 1988; and

9 (2) on the date of filing an election under sub-  
10 section (b)—

1 (A) is serving as a recalled magistrate  
2 judge on a full-time basis under section 636(h)  
3 of title 28, United States Code; and

4 (B) has completed at least 5 years of full-  
5 time recall service.

6 (b) ELECTION OF ANNUITY.—The Director of the  
7 Administrative Office of the United States Courts may ac-  
8 cept the election of a qualified magistrate judge to—

9 (1) receive an annuity under section 377 of title  
10 28, United States Code; and

11 (2) come within the purview of section 376 of  
12 such title.

13 (c) CREDIT FOR SERVICE.—Full-time recall service  
14 performed by a qualified magistrate judge shall be cred-  
15 ited for service in calculating an annuity elected under this  
16 section.

17 (d) REGULATIONS.—The Director of the Administra-  
18 tive Office of the United States Courts may promulgate  
19 regulations to carry out this Act.

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